

General's Department Order #7 on January 25, 1949. The First Air Force Judge Advocate General, Major General Reginald C. Harmon, was promoted to major general directly from the rank of colonel. Following Major General Harmon, 12 other Judge Advocates General have served, including Major General Bryan G. Hawley who retired recently, and the newly installed incumbent Major General William A. Moorman.

The JAG Department has a rich and colorful history. Before the Air Force was formed, there were special Air JAGs for the Army Air Corps. JAGs and paralegals have been at commanders' sides in every operation since the department was formed, including Korea, Vietnam, Grenada, and the Persian Gulf. In addition to combat theaters, JAGs have been critical components of forces conducting humanitarian, peacekeeping, and contingency operations in far-off places like Somalia, Bosnia, Haiti, and Rwanda. Often, much of the JAG's work is carried on behind the scenes, negotiating with foreign leaders, making arrangements for proper services, and ensuring agreements are in the place to service members abroad. As important and even less conspicuous are the paralegals and other legal staff that support these operations.

Perhaps the single most important role JAGs perform is in assisting commanders to administer a fair and equitable system of military justice. General Washington recognized, as did Caesar and Alexander before him, that discipline distinguishes an armed force from a mob. History has shown that discipline, enforced by an even-handed and credible system of justice, is an essential element of an effective fighting force. That system of justice must be mobile, be able to react to unique military offenses, and be administered by those who understand the environment in which it functions. Air Force JAGs have preserved such a system for Air Force members, whether stationed at home or at remote sites worldwide. Mothers and fathers throughout America have entrusted their sons and daughters to Air Force commanders, knowing that they will be treated fairly and justly.

Air Force Judge Advocates have made significant contributions to the practice of law throughout the military. Air Force JAGs were instrumental in establishing the requirement to inform an accused of his rights well before the Supreme Court directed Miranda warnings be read. The Air Force was the first service to institute an independent defense counsel program, ensuring accused military members received zealous representation, without even the appearance of command influence. Air Force JAGs have also participated in some of the most influential cases in military history on topics ranging from military jurisdiction over off-base offenses, to the use of polygraph results in court and drug analysis.

In addition, as the Air Force has adapted to ever changing environments, JAGs have led the way by resolving the complex legal issues that have accompanied these changes. To meet these challenges, the JAG Department has grown from 442 officers to a force of over 4,680 personnel, including JAGs, civilian attorneys, enlisted members, civilian support staff, and Reserve and National Guard personnel. The JAG Department has also expanded its

expertise into other critical legal specialties such as aviation, civil, claims, environmental, ethics, international, labor, legal assistance, medical, operations, procurement, space, and tax law. As the Air Force faces the challenges of the 21st Century, the JAG Department will be there to help commanders maintain the world's greatest Air Force, committed to going anywhere in the world, anytime.

I am honored to rise in recognition of the 50th Anniversary of the Air Force Judge Advocate General's Department and express the heartfelt thanks of the people of the United States for a job well done to all who serve or who have served in the Air Force Judge Advocate General's Department.

#### HONORING MS. LENA B. MEDLEY

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 15, 1999

Mr. TOWNS. Mr. Speaker, I rise today to honor Ms. Lena B. Medley, for her exemplary community service, and dedication to educating the children of the Brooklyn community.

Ms. Lena B. Medley, is an unsung American Hero in Education who took on the arduous task of saving a school and a community, six years ago when she became the Principal of Thomas Jefferson High School. Ms. Medley restored pride and injected self-esteem into a school that was thought of to be failing. The heroic actions initiated by Ms. Medley began when Thomas Jefferson High School was placed on a list marked for take over and subsequent closing by the New York State Education Department in 1993. As of December 1997, Thomas Jefferson High School was removed from the Schools Under Registration Review (SURR) List due to Ms. Medley's dynamic leadership.

Ms. Medley implemented several programs; (1) the Ninth Grade Preparatory Academy for Math and Science, which emphasized biology, sequential mathematics and technology. (2) the Marine Corps Junior ROTC—which strengthened character, helped form habits of self discipline, leadership and (3) the academy of Success—which graduated more special education students into the mainstream than in the schools history. Because of Ms. Medley's vision to have these unprecedented programs in an inner-city high school located in East New York Brooklyn, she has transformed this school successfully.

Ms. Medley holds degrees from Tennessee State and Fordham University. She has studied at Lehman College, Hunter College, and Harvard University.

Mr. Speaker, please join me in honoring Ms. Lena B. Medley, a 34 year veteran of education who cared enough to make a difference in the life of a child. She is truly an American Hero.

#### PERSONAL EXPLANATION

#### HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 15, 1999

Mr. SHERMAN. Mr. Speaker, during rollcall vote No. 35 on March 10, 1999, I was unavoidably detained. Had I been present, I would have voted "yes."

#### TRIBUTE TO THE JAMESPORT FIRE DEPARTMENT ON ITS 50TH ANNIVERSARY

#### HON. MICHAEL P. FORBES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, March 15, 1999

Mr. FORBES. Mr. Speaker, I rise today in this hallowed chamber to pay tribute to the Jamesport Fire Department and to join the volunteer firefighters, emergency medical personnel and grateful people of this Long Island community as they celebrate the 50th anniversary of the fire department's founding.

I would like to tell my colleagues about Jamesport, a special place where neighbors look out for neighbors and every resident possesses a special pride in their hometown. In a service that exemplifies selfless heroism, the men and women of the Jamesport Fire Department perform above and beyond the call of duty each and every day. Compensated only by the satisfaction that their efforts surely save lives and protect property, these volunteers have answered every alarm for 50 years. I am proud and honored to count these brave firefighters among my friends and neighbors.

Moreover, I am proud to join with the Jamesport Fire Department in honoring five charter members for their 50 years of faithful service. Since 1949 these men have answered the siren's call whenever a fire or other peril threatened a member of the Jamesport community. Herbert Fleischman has served as 2nd Lt., 1st Lt., Captain, 2nd Asst. Chief, 1st Asst. Chief and Chief. Walter Rolle has served as 2nd Lt., 1st Lt. and Captain. Raymond Zaleski has served as 2nd Lt., 1st Lt., Captain and a Fire Commissioner. Stanley Zaweski has served as 2nd Lt., 1st Lt. and Captain. And John Ziemacki has served as 2nd Lt., 1st Lt., Captain, 1st Asst. Chief, Chief, Fire Commissioner and was chosen Fireman of the Year in 1973. Time and again these brave men joined their comrades as they hastened to the scene, placing themselves in harm's way to aid another human being in danger, regardless of whether it be a friend, neighbor or stranger.

Demonstrating that true heroes are created over a lifetime of selfless acts and service to their God, family and country, these brave men of the Jamesport Fire Department are perfect role models for every volunteer firefighter who will come after them. They truly reflect the outstanding work of the Jamesport Fire Department and its commitment to training and service that keep their neighbors, friends and even their own children safe and secure. That is why, Mr. Speaker, I ask my

colleagues in the House of Representatives to join me on this 50th anniversary in saluting the courageous, devoted volunteers of the Jamesport Fire Department. May God keep them safe as they have worked to keep safe the Jamesport community.

HONORING MS. JEANETTE  
RUFFINS

**HON. EDOLPHUS TOWNS**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 15, 1999*

Mr. TOWNS. Mr. Speaker, I rise today to honor Ms. Jeanette Ruffins for her exemplary community service, and her numerous contributions to the Brooklyn community.

Ms. Ruffins is currently the Executive Director of Genesis Homes, a 150 apartment, low income housing complex in East New York, Brooklyn. Genesis Homes is a service enriched complex that includes the Nelson Mandela Community Center. Ms. Ruffin oversees the daily operation of a Day Care Center, Primary Care Medical Services, G.E.D., Adult Basic Education, and a Boys & Girls Club site. The Boys and Girls Club provides recreation and leadership development for youth ages 6–18.

Ms. Ruffins has extensive experience in case management as well as social service administration and management. She has many years of experience with issues of victimization and domestic violence, including more than three years of experience with the Queens Safe Homes Program operated through the District Attorney's Office.

Ms. Ruffins has a Bachelors degree from Northwestern University and a Masters in Social Service Administration from the University of Chicago.

Mr. Speaker, please join me in honoring Ms. Jeanette Ruffins, who has helped the underprivileged of our community, and has served as an excellent role model for countless individuals.

#### PERSONAL EXPLANATION

**HON. BRAD SHERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 15, 1999*

Mr. SHERMAN. Mr. Speaker, during rollcall vote No. 34 on March 10, 1999, I was unavoidably detained. Had I been present, I would have voted "yes."

#### PERSONAL EXPLANATION

**HON. LOIS CAPPS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 15, 1999*

Mrs. CAPPS. Mr. Speaker, due to a family illness I was unable to attend votes this week. Had I been here I would have made the following votes:

#### EXTENSIONS OF REMARKS

Rollcall No. 34—aye; 35—aye; 36—no; 37—aye; 38—aye; 39—aye; 40—aye; 41—aye; 42—aye; 43—aye; 44—aye; 45—no; 46—no; 47—no; 48—no; 49—yes.

#### PROPERTY RESTITUTION IN THE CZECH REPUBLIC

**HON. CHRISTOPHER H. SMITH**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Monday, March 15, 1999*

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to express my concern over recent setbacks in the return of expropriated properties to rightful owners in the Czech Republic. As Chairman of the Commission on Security and Cooperation in Europe, I have followed property restitution issues in Central and Eastern Europe over the past several years with an eye toward determining whether the restitution and compensation laws adopted in this region are being implemented according to the rule of law and whether American citizens' interests are protected under the laws. While restitution and compensation programs in several East-Central European countries have aspects of concern, today I want to bring attention to the status of restitution in the Czech Republic because of recent troubling developments there.

Since the Velvet Revolution, the Czech Republic has adopted laws that provide for the return of private property confiscated by Nazi or communist regimes. When the actual return of property is not possible, these laws offer former owners the right to receive alternate compensation. Regrettably, the Czech laws limit these rights to those who had Czechoslovak citizenship when the restitution law was adopted or who acquired citizenship before the deadline for filing restitution claims. As a result, former Czechoslovak citizens who fled to the United States seeking refuge from fascism or communism earlier this century, and are now American citizens, have been precluded from making restitution claims unless they renounce their American citizenship. Ironically, had these same individuals fled to Canada, Israel, or any country other than the United States, they would not have lost their Czech citizenship and would today be eligible to receive restitution or compensation. This result stems from a treaty signed in 1928 by the United States and Czechoslovakia that automatically terminated a person's citizenship in the United States or Czechoslovakia if that person became a citizen of the other country. That treaty was terminated in 1997, but its impact remains: under Czech law, Czech Americans are not eligible for dual citizenship in the Czech Republic. Therefore, without abandoning the citizenship of the country that took them in during their time of need, the law denies them the right to receive restitution or compensation as others have. In other words, the citizenship requirement in the Czech property restitution laws discriminates against American citizens. Moreover, it is difficult for me to think that this discrimination was simply an unintended consequence.

In the 105th Congress, the House adopted my resolution, H. Res. 562, that urges the for-

merly totalitarian countries in Central and Eastern Europe to restore wrongfully confiscated properties, and specifically calls on the Czech Republic to eliminate this discriminatory citizenship restriction. In this regard, the resolution echoes the view of the United Nations Human Rights Committee (UNHRC) which has concluded in two cases that these citizenship restrictions violate the anti-discrimination clause (art. 26) of the International Covenant on Civil and Political Rights. I recently learned that the UNHRC has agreed to hear at least four more cases that challenge these restrictions.

The persuasiveness of the UNHRC's reasoning, when it determined that the citizenship restriction in the restitution law is discriminatory, was compelling. Unfortunately, the Czech Parliament last month debated and rejected a proposed amendment to the law that would have eliminated Czech citizenship as a condition for property restitution claims. This approach was widely considered the most effective remedy to a serious problem. In rejecting the amendment, the parliament missed an excellent opportunity to resolve this long-standing and contentious issue between the Czech Republic and the United States.

While I deeply regret the parliament's decision, I hope that the Czech Government will now seek alternative means to end the discrimination against Czech Americans. In January, several weeks before the parliament voted down the restitution amendment, Deputy Foreign Minister Martin Palous assured me that his government planned to propose a new citizenship law that would permit dual citizenship for Czech Americans. I was heartened to learn that last month the Czech Government introduced this amendment and it is my hope that its early passage will be followed by a re-opening of the claims filing period for those individuals who, by virtue of acquiring dual citizenship, will become eligible for property restitution or compensation.

Another disturbing situation involves the case of restitution to the "double victims" in the Czech Republic—those individuals, primarily Jews, whose properties were confiscated during World War II by Nazis and then again by the communists that swept the region in the postwar era. One case, for example, is that of Susan Benda who is seeking compensation for an expropriated house in the town of Liberec where her father and his brother grew up. Susan's grandparents were killed by the Nazis and her father and uncle fled their homeland in 1939. The family home was "sold" in 1940 to a German company in a transaction subsequently invalidated by a 1945 Czech presidential decree.

In 1994, the Czech Parliament expanded its earlier restitution law to allow individuals whose property was originally confiscated by Nazis between the years 1938–45 to join those whose property was taken by communists in claiming restitution. Under the amended laws, Susan Benda is theoretically eligible to receive restitution of, or compensation for, the home in Liberec. Notwithstanding the Czech Government's purported intention to restore Jewish property seized by the Nazis, however, the Czech Ministry of Finance has arbitrarily imposed additional onerous and burdensome conditions for restitution that do not

*March 15, 1999*